

SENATE BILL 2626  
By McNally

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, Part 2, relative to the composition of the Tennessee higher education commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-204(a)(1), is amended by deleting the word and figures "ten (10)" and substituting the word and figures "twelve (12)".

SECTION 2. Tennessee Code Annotated, Section 49-7-204(a)(1), is further amended by deleting the fifth and sixth sentences thereof and substituting the following:

In addition, the governor shall appoint two (2) faculty and two (2) student members. One (1) faculty member and one (1) student member shall be voting members and one (1) faculty member and one (1) student member shall be ex officio, non-voting members.

SECTION 3. Tennessee Code Annotated, Section 49-7-204(a)(1), is further amended by adding the following at the end of the subdivision:

The faculty member appointed pursuant to subdivision (f)(2)(A) will be the first voting faculty member for a term of one (1) year, followed by the faculty member appointed pursuant to subdivision (e)(2) who shall serve a term of one (1) year as a voting member. Thereafter, the voting faculty membership shall be rotated between the faculty member representing the University of Tennessee system and the faculty member representing the board of regents system, it being the legislative intent that a faculty member serve one (1) year as a non-voting, ex officio member before becoming a voting member, and that the voting position rotate between representatives of the two systems.

SECTION 4. Tennessee Code Annotated, Section 49-7-204, is further amended by redesignating subsections (e) through (h) to be subsections (g) through (j), and by adding the following new subsections (e) and (f):

(e)

(1) One (1) member of the commission shall be a faculty member who shall be appointed by the governor from a list of three (3) nominees selected and submitted no later than April 15, by the presidents of the faculty senates, or equivalent faculty bodies, of all technical schools, colleges and universities in the state university and community college system.

(2) The faculty member shall serve for a term of two (2) years beginning on July 1, 2004 after the faculty member's appointment by the governor. The faculty member shall continue to be employed as faculty within the state university and community college system during the faculty member's term on the board.

(3) The list of nominees referenced in subdivision (e)(1) shall be selected in accordance with the following provisions:

(A)

(i) One (1) nominee shall be employed as a full-time faculty member at a four (4) year institution at the time of nomination and shall maintain employment as a full-time faculty member at an institution which is a member of the state university and community college system;

(ii) One (1) nominee shall be employed as a full-time faculty member at a two (2) year institution at the time of nomination and shall maintain employment as a full-time faculty member at an institution which is a member of the state university and community college system; and

(iii) One (1) nominee shall be employed as a full-time faculty member at any institution which is a member of the state university and community college system;

(B) The nominees may not be employed at the same institution.

(C) All nominees for faculty commission member shall be residents of this state; and

(D) A majority of the presidents of the faculty senate, or equivalent faculty body, of all technical institutions, community colleges and universities in the state university and community college system constitutes a quorum for nomination purposes. A majority vote of those present and voting is necessary to effect a nomination.

(4) The chancellor of the board of regents shall notify all faculty senates, or equivalent faculty bodies, in the state university and community college system of the necessity for the nominating procedure herein described.

(f)

(1) One (1) member of the commission shall be a faculty member who shall be appointed by the governor from a list of three (3) nominees prepared and submitted by the faculty senate, or equivalent faculty body, from one (1) of the following branches of the University of Tennessee:

(A) The University of Tennessee at Knoxville;

(B) The University of Tennessee at Martin;

(C) The University of Tennessee at Chattanooga; and

(D) The University of Tennessee Medical Units at Memphis. The term is for two (2) years beginning July 1.

(2)

(A) Effective June 1, 2004, a faculty member at the University of Tennessee at Knoxville shall be chosen and shall serve until July 1, 2005; effective July 1, 2005, a faculty member at the University of Tennessee of Martin shall be chosen and shall serve until July 1, 2007; effective July 1,

2007, a faculty member at the University of Tennessee at Chattanooga shall be chosen and shall serve until July 1, 2009; effective July 1, 2009, a faculty member at the University of Tennessee Medical Units at Memphis shall be chosen and shall serve until July 1, 2010.

(B) Such membership shall be filled on a biennial rotating basis and maintain the sequence established above. The names of the three (3) nominees chosen as set out in this subsection shall be certified to the governor by the chancellor of the appropriate branch of the University of Tennessee.

SECTION 5. Tennessee Code Annotated, Section 49-7-204, is further amended by adding the following new sentence at the end of subsection (g) (formerly (e)):

A faculty member is also exempt from this subsection.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.